IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14975 of 2004

Between:

1 Y.Srinivasa Rao, s/o Siva Ramaiah,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
2 A.M.Rao, E-457012, s/o Raja Rao,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
3 G.B.Krishna, E-455930, s/o Tatayya,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
4 N.V.S.Naidu, E-455919, s/o Gurunaidu,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
5 G.V.Rao, E-455909, s/o Rajuludora,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
6 G.N.Rao, E-451361, s/o G.A.Swamy,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
7 P.S.N.Raju, E-456852, s/o R.M.Raju,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
8 M.Satyam, E-455915, s/o Ramulu,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
9 D.S.N.Raju, Driver E-455785, s/o R.M.Raju,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.
10 P.Eswara Rao, Driver, E-455 271, s/o Ramulu,
working in the Corporation and r/o Maddilapalem, Visakhapatnam.

..... PETITIONERS

AND

1 The APSRTC rep., by its Vice Chairman & Managing Director, Musheerabad, Hyderabad.
2 The APSRTC rep., by its Regional Manager, Visakhapatnam, Visakhapatnam

District.
3 The APSRTC rep., by its Depot Manager, Maddilapalem, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to the circular instructions and consequently set aside the same directing the respondents herein to add the stagnation increment to all the petitioners on completion of 12 years service and to pay the arrears from the date of entitlement to each petitioner in the interest of justice and to pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.S.M.SUBHAN

Counsel for the Respondents: MR.Y.V.SWAMY SC FOR APSRTC

The Court at the stage of admission, made the following :

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ORAL ORDER

The petitioners are working as drivers and conductors in the respondent Corporation. They contend that they have been working since more than 12 years and they were not granted any stagnation increments after completion of 12 years of service. The petitioners contend that as per the circular of the Corporation No.PD113/89, dated 3-6-89, the employees of the Corporation those who have completed 12 years of service are entitled to get stagnation increments. A similar question came up for consideration before this Court in W.P.No.5726 of 2000 which was the subject matter in W.A.No.1301 of 2001, wherein the Division Bench held that employees who have completed more than 12 years of service are entitled for stagnation increments and accordingly directed the Corporation to consider the cases of the writ petitioners in that case to grant 12 years stagnation increments to those petitioners.

In the light of the contention of the petitioners and in the light of the judgment of the Division Bench in W.A.No.1301 of 2001, dated 29-10-2002 the respondents are directed to consider the representations of the petitioners regarding the release of stagnation increments and pass appropriate orders on those representations after satisfying that they have completed 12 years of service.

The writ petition is disposed of accordingly. No order as to costs.

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24TH AUGUST 2004

*TSNR

To

1. The Vice Chairman & Managing Director,APSRTC, Musheerabad, Hyderabad

2. The Regional Manager, ASPRTC, Visakhapatnam

3. The Depot Manager, Maddilapalem, Visakhapatnam District.

4. Two C.D.Copies